

1 STEVEN W. MYHRE
Acting United States Attorney
2 District of Nevada
PHILLIP N. SMITH, JR.
3 Assistant United States Attorney
Nevada State Bar No. 10233
4 501 Las Vegas Boulevard South
Suite 1100
5 Las Vegas, Nevada 89101
702-388-6336
6 phillip.smith@usdoj.gov

7 Attorney for Plaintiff

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA
10

11 * * *

12 UNITED STATES OF AMERICA,) **2:17-cr-145-KJD-CWH**
13)
14 Plaintiff,)
15 v.)
16 SHONTAZ HUTCHINSON,)
17 Defendant.)
18 _____)

19 **STIPULATION FOR EXTENSION OF TIME**

20 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre,
21 Acting United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney,
22 counsel for the United States of America, and Rachel Korenblat, Assistant Federal Public
23 Defender, counsel for Defendant SHONTAZ HUTCHINSON, that the date for the Government
24 to file a response to the Defendant's Motion to Suppress (docket #25) be extended for two
25 weeks.

26 This stipulation is entered for the following reasons:

27 1. The Defendant's Motion was filed and served on August 28, 2017. *See* Docket
28 #25. The Government's response deadline was September 25, 2017.

1 2. Since the filing of the Defendant's Motion to Suppress, the parties have been
2 attempting to negotiate the case, which would obviate the need for any further pre-trial litigation.
3 The parties need additional time to finalize the proposed plea offer for the Defendant.

4 3. The Defendant is incarcerated, but he does not object to the continuance of the
5 Government's response deadline.

6 4. The additional time requested herein is not sought for purposes of delay, but
7 merely to allow the parties time to reach a negotiation, which will obviate the need for this Court
8 to consider the Defendant's Motion.

9 5. Additionally, denial of this request for continuance could result in a miscarriage
10 of justice.

11 6. This is the second stipulation filed herein to continue the Government's response
12 deadline.

13 DATED: September 27, 2017.

14
15 /s/
16 _____
17 PHILLIP N. SMITH, JR.
18 Assistant United States Attorney
19 Counsel for the United States

20 /s/
21 _____
22 RACHEL KORENBLAT
23 Assistant Federal Public Defender
24 Counsel for Defendant SHONTAZ HUTCHINSON
25
26
27
28

1
2
3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 UNITED STATES OF AMERICA,) **2:17-cr-145-KJD-CWH**
7)
8 Plaintiff,)
9 v.)
10 SHONTAZ HUTCHINSON,)
11 Defendant.)
12 _____)

13 **FINDINGS OF FACT**

14 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
15 Court finds that:

16 1. The Defendant's Motion was filed and served on August 28, 2017. *See* Docket
17 #25. The Government's response deadline was September 25, 2017.

18 2. Since the filing of the Defendant's Motion to Suppress, the parties have been
19 attempting to negotiate the case, which would obviate the need for any further pre-trial litigation.
20 The parties need additional time to finalize the proposed plea offer for the Defendant.

21 3. The Defendant is incarcerated, but he does not object to the continuance of the
22 Government's response deadline.

23 4. The additional time requested herein is not sought for purposes of delay, but
24 merely to allow the parties time to reach a negotiation, which will obviate the need for this Court
25 to consider the Defendant's Motion.

26 5. Additionally, denial of this request for continuance could result in a miscarriage
27 of justice.
28

6. This is the second stipulation filed herein to continue the Government's response deadline.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the Government's response deadline.

CONCLUSIONS OF LAW

The additional time requested herein is not sought for purposes of delay, but merely to allow the parties time to reach a negotiation, which will obviate the need for this Court to consider the Defendant's Motion. The failure to grant said continuance would likely result in a miscarriage of justice.

ORDER

IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the Government to respond to the Defendant's Motion to Suppress is extended until October 9, 2017.

UNITED STATES MAGISTRATE JUDGE

Dated: September 29, 2017